UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

	)	
JAMES S. POMEROY SR., and	)	
JAMES S. POMEROY JR.,	)	
(Deceased)	)	
Plaintiff,	)	
	)	
v.	)	C.A. NO. 03-40283FDS
	)	
ASHBURNHAM WESTMINSTER	)	
REGIONAL SCHOOL DISTRICT,	)	
Defendant.	)	
	)	

**DEFENDANT'S ASSENTED TO MOTION TO EXTEND TIME
TO MAKE INITIAL DISCLOSURES PURSUANT TO RULE 26**

NOW COMES the Defendant and respectfully moves the Court to extend its time to provide

its initial disclosures pursuant to Rule 26 through and including March 14, 2006. As grounds for this

motion the Defendant states that it is engaged in discussions with the Plaintiff which may result in

resolution of the issues in dispute, and that additional time is needed to explore potential resolution

of the issues and to compile documents.

In further support of this motion, the Defendant states that on February 28, 2006 its attorney

discussed the present motion with the Plaintiff and determined that the Plaintiff would assent to the

extension of time requested.

WHEREFORE, the Defendant respectfully moves the Court to extend its time to provide its

initial disclosures pursuant to Rule 26 through and including March 14, 2006.

Respectfully Submitted,

The Defendant,
ASHBURNHAM WESTMINSTER REGIONAL
SCHOOL DISTRICT,
By its attorneys,

/s/ William P. Breen, Jr.
William P. Breen, Jr. BBO# 558768
Joseph T. Bartulis BBO# 561025
MURPHY, HESSE, TOOMEY & LEHANE, LLP
300 Crown Colony Drive, Suite 410
Quincy, MA 02169
(617) 479-5000

Dated: February 28, 2006

Certification Pursuant to Local Rule 7.1

The undersigned attorney certifies that prior to filing the above motion, he conferred in good
faith with the Plaintiff to narrow the issues raised by this motion.

/s/ William P. Breen, Jr.

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically
to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies
will be sent to those indicated as non registered participants on February 28, 2006.

/s/ William P. Breen, Jr.